

Message

From: Wade, Alexis [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=5C9FBA2EF8444572A39185242B70593B-WADE, ALEXIS]
Sent: 10/29/2018 2:51:18 PM
To: Kupchan, Simma [Kupchan.Simma@epa.gov]
Subject: RE: Update from FL assumption workgroup call

Yup. I'll do that.

Alexis Wade
Attorney-Adviser
Water Law Office
EPA Office of General Counsel
(202) 564-3273

From: Kupchan, Simma
Sent: Monday, October 29, 2018 10:50 AM
To: Wade, Alexis <Wade.Alexis@epa.gov>
Subject: RE: Update from FL assumption workgroup call

David had proposed sending them a track changes version so they could see our edits from the prior version, but we can "accept deletion" of our deletion from EPA's own prior language. Does that make sense?

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Wade, Alexis
Sent: Monday, October 29, 2018 10:39 AM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>
Subject: RE: Update from FL assumption workgroup call

No problem! Are we going to send them a clean version? There are track changes that have some of the crossed out esa language.

Alexis Wade
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From: Kupchan, Simma
Sent: Monday, October 29, 2018 10:10 AM
To: Wade, Alexis <Wade.Alexis@epa.gov>
Subject: RE: Update from FL assumption workgroup call

Thanks so much for taking this on. Sending the latest draft, including edits I worked on with R4 after you got off the phone on Thursday.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Wade, Alexis

Sent: Monday, October 29, 2018 9:39 AM

To: Fotouhi, David <Fotouhi.David@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>

Cc: Wehling, Carrie <Wehling.Carrie@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>

Subject: RE: Update from FL assumption workgroup call

I can work on taking out the sections and adding brackets.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Alexis Wade
Attorney-Adviser
Water Law Office
EPA Office of General Counsel
(202) 564-3273

From: Fotouhi, David

Sent: Monday, October 29, 2018 9:13 AM

To: Kupchan, Simma <Kupchan.Simma@epa.gov>

Cc: Wehling, Carrie <Wehling.Carrie@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>

Subject: RE: Update from FL assumption workgroup call

Thanks, Simma. I think we need to share a draft of some kind with the State.

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My initial request to pause was to allow time for one more review by Matt and me before sharing the draft.

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Let me know your thoughts about this approach.

David Fotouhi

Principal Deputy General Counsel
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Tel: +1 202.564.1976
fotouhi.david@epa.gov

From: Kupchan, Simma

Sent: Thursday, October 25, 2018 5:22 PM

To: Fotouhi, David <Fotouhi.David@epa.gov>

Cc: Wehling, Carrie <Wehling.Carrie@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>

Subject: RE: Update from FL assumption workgroup call

David,

(This can wait till next week – hope you enjoyed the weekend!)

In taking another close look at the FDEP MOA with Region 4 staff (latest draft attached for reference), and receiving some edits from them, Alexis and I:

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Thanks for your attention and feedback.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Fotouhi, David
Sent: Thursday, October 25, 2018 1:16 PM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>
Cc: Wehling, Carrie <Wehling.Carrie@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>
Subject: Re: Update from FL assumption workgroup call

Thanks very much

Sent from my iPhone

On Oct 25, 2018, at 1:13 PM, Kupchan, Simma <Kupchan.Simma@epa.gov> wrote:

Hi David,

The Region assured me they would let me know when they passed the MOA to the RA for potential transmission to Florida, but I have not heard anything yet. I will let you know as soon as I hear anything.

In the meantime, attached is the draft they would share, with comments removed and edits anonymized.

Please let me know if you have further questions. Thanks.

Simma Kupchan
EPA Office of General Counsel
Water Law Office
WJC North Building # 7426Q
202-564-3105

From: Fotouhi, David
Sent: Thursday, October 25, 2018 12:33 PM

To: Wehling, Carrie <Wehling.Carrie@epa.gov>
Cc: Wade, Alexis <Wade.Alexis@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>;
Kupchan, Simma <Kupchan.Simma@epa.gov>
Subject: Re: Update from FL assumption workgroup call

Thanks, Alexis.

Also, could you ask the region if the draft EPA-FDEP MOA was shared with the state and send me the as-sent document?

Sent from my iPhone

On Oct 25, 2018, at 9:05 AM, Wehling, Carrie <Wehling.Carrie@epa.gov> wrote:

Thank you, Alexis. Very helpful.
Would be good if DOI could provide specific wording suggestions...I know that's asking a lot given the cast of characters but it would help focus things.
Thanks.
Carrie

Caroline (Carrie) Wehling
Assistant General Counsel
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Washington DC 20004
202-564-5492
wehling.carrie@epa.gov

From: Wade, Alexis
Sent: Wednesday, October 24, 2018 6:34 PM
To: Fotouhi, David <Fotouhi.David@epa.gov>
Cc: Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>
Subject: Update from FL assumption workgroup call

Hello David –

The call with R4 and DOI went well. I think they need some time to really digest the document and how the process in the MOA will work. The next step is for DOI to talk internally and let us know tomorrow if they will be able to provide meaningful comments on a call next week. R4 put a hold on our calendars for Wednesday at 3.

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Let me know if you have any questions.

Thanks,
Alexis

Alexis Wade
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<FL EPA MOA Redline version for sharing with FDEP 10.24.18.docx>